

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

Civil Action No. 04-10233-RCL

JONATHAN BEIJAR  
Plaintiff

v.

STANLEY FASTENING SYSTEMS, L.P.  
Defendant

**ASSENTED TO MOTION TO EXTEND THE SCHEDULING ORDER**

Now comes the Plaintiff, Jonathan Beijar, and hereby moves the Court to extend the following deadlines in its scheduling order, as set forth below:

- A. Plaintiff's and Defendant's experts disclosed and expert depositions completed by May 31, 2005
- B. Dispositive Motions filed by June 30, 2005
- C. Oppositions to Dispositive Motions filed by July 20, 2005
- D. Settlement Conference held by August 15, 2005
- E. Final Pre-Trial Conference held by September 15, 2005
- F. Trial held after September 15, 2005

As good cause for this motion, the undersigned aver that this extension is needed in order for (a) the Plaintiff's expert to conclude his review of the discovery materials and complete an inspection of the pneumatic nailer in this matter, so that he may complete his report addressing the condition and features of said nailer and the causes of the Plaintiff's injuries and (b) the Defendant's expert to have an opportunity to review the Plaintiff's expert's report before

completing his/her report. The Plaintiff's expert has been away on travel and is unable to accomplish the pneumatic nailer inspection within the original timeframe set for its completion. In accordance with Local Rule 7.1(a)(2), Plaintiff's counsel has conferred with the Defendant's counsel and the Defendant's counsel assents to this request and the relief sought herein.

WHEREFORE, the Plaintiff requests that this motion be granted and that the Court's scheduling order be amended, as set forth above.

Respectfully submitted,

JONATHAN BEIJAR,  
By his Attorney,

/s/ Scott W. Lang

Scott W. Lang, Esquire BBO #285720  
Lang, Xifaras & Bullard  
115 Orchard Street  
New Bedford, MA 02740  
(508) 992-1270

Dated: March 29, 2005

Assented to by:

STANLEY FASTENING SYSTEMS,  
L.P.,  
By its Attorney,

/s/ Christopher A. Duggan

Christopher A. Duggan, Esquire  
BBO No. 544150  
Smith & Duggan LLP  
Lincoln North  
55 Old Bedford Road  
Lincoln, MA 01773  
(617) 228-4400

Dated: March 29, 2005

**CERTIFICATION OF COMPLIANCE WITH LOCAL RULE 7.1(a)(2)**

Pursuant to Local Rule 7.1(a)(2), the undersigned counsel certifies that on March 25, 2005, his associate, Jennifer Davis, Esquire, contacted the Defendant's counsel regarding the grounds for and relief requested by this motion and the Defendant assents to both.

/s/ Scott W. Lang  
Scott W. Lang, Esquire

Dated: March 29, 2005